NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

MYA SARAY, LLC,
Plaintiff-Appellant

v.

IBRAHIM DABES, dba Dabes Egyptian Imports,
Defendant

ALLA ALLABADIE, dba World Smoke Shop, dba Shisha Center,
Defendant-Appellee

2017-1044

Appeal from the United States District Court for the Eastern District of Virginia in No. 1:16-cv-00629-LMB-IDD, Judge Leonie M. Brinkema.

ON MOTION

Before REYNA, *Circuit Judge*.

O R D E R

Alla Allabadie moves to dismiss the appeal for lack of jurisdiction. Mya Saray, LLC opposes and informs the court of recent post-appeal developments.

Mya Saray filed the underlying lawsuit against Mr. Allabadie and Ibrahim Dabes. Mya Saray did not perfect service of the complaint on Mr. Dabes. In September 2016, the district court dismissed the complaint as to only Mr. Allabadie for lack of personal jurisdiction. Mya Saray appealed, and Mr. Allabadie moved to dismiss. On February 17, 2017, the district court entered final judgment, dismissing Mr. Dabes from the appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to dismiss is denied.

(2) Mya Saray's opening brief is due no later than 30 days from the date of filing of this order.

FOR THE COURT

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

s24